

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE SUBPOENA ISSUED IN:

Misc No. 1:21-mc-00194-KPF

*MWK Recruiting, Inc. v. Jowers, et al.*  
pending in the U.S. District Court for the  
Western District of Texas,  
Case No. 1:18-cv-00444-RP

BREAKING MEDIA, INC.  
dba ABOVE THE LAW,

Petitioner,

-against-

EVAN P. JOWERS,

Respondent.

**STIPULATION RE SUBPOENA, AND  
SCHEDULING OF BRIEFING ON  
MOTION TO QUASH**

Counsel to the parties, **Petitioner Breaking Media, Inc.**, publisher of *Above the Law* (“Petitioner” or “ATL”) and **Respondent Evan P. Jowers** (“Respondent” or “Jowers”) stipulate and agree as follows. They request that the Court approve and So Order this Stipulation.

**Respondent Jowers** through his counsel, Tauler Smith LLP, issued a Subpoena to non-party **Petitioner Breaking Media, Inc.**, publisher of *Above the Law* (“Petitioner” or “ATL”) seeking the production of certain documents and a deposition of Petitioner to be complied with by *February 18, 2021* at 12:00pm (the “Subpoena”).

Petitioner ATL moved to quash the Subpoena on *February 17, 2021*. On *February 18, 2021* the Court stayed Petitioner's obligation to comply with the Subpoena pending further order of the Court, allowed Petitioner ATL to file its supplemental briefing on *February 25, 2021* and set Respondent's to file its Opposition on or before *March 4, 2021*.

Since then the parties have been conferring in an effort to narrow the issues between them. To assist them in doing so, the parties agree that Petitioner's time to supplement its briefing be extended one week to **March 4, 2021**, that Respondent's time to file its Opposition or Cross-Motion be extended one week to **March 11, 2021**, that Petitioner's time to Reply and or Oppose is extended to **March 18, 2021** and that the stay be continued pending further ruling of the Court.

The parties respectfully request that the Court So Order this Stipulation.

Dated: February 24, 2021

MILLER KORZENIK SOMMERS

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Attorneys for Respondent  
Evan P. Jowers

Application GRANTED. The Clerk of Court is directed to terminate the motion pending at docket entry 11.

Dated: February 25, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE